

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:11-CT-3045-FL

DAVID RICHARDSON,

Plaintiff,

v.

BOSTICK, et al.,

Defendants.

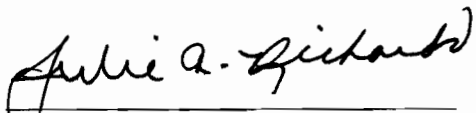
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ENTRY OF DEFAULT

On March 7, 2011, David Richardson (“plaintiff”) filed this action against several defendants, including Officer Brian Bostick (“Bostick”) [D.E. 1]. On August 23, 2011, plaintiff served Bostick with summons and the complaint [D.E. 16]. Bostick failed to answer or otherwise respond. On February 21, 2012, plaintiff moved for entry of default against Bostick [D.E. 49]. The clerk of court denied without prejudice plaintiff’s request [D.E. 55]. On March 5, 2012, plaintiff re-filed a motion for entry of default against Bostick [D.E. 57].

Rule 55(a) of the Federal Rules of Civil Procedure provides for entry of default against a party who “has failed to plead or otherwise defend.” On August 23, 2011, plaintiff perfected service on Bostick, and the time within which this defendant may answer or otherwise plead has expired. See Fed. R. Civ. P. 12(a)(1)(A). It appears that defendant is subject to default. Accordingly, plaintiff’s motion for entry of default against defendant Officer Bostick is GRANTED [D.E. 57].

SO ORDERED. This 6th day of March 2012.


Julie A. Richards, Clerk of Court